

Service Date: July 5, 1989

FINAL ORDER NO. 5942

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of)	DOCKET NO. T-9381
THOMAS EDWARD LITTLE DBA HERITAGE)	
COMMERCIAL CONTRACTORS, Helena, MT)	
for a Certificate of Public Conven-)	ORDER NO. 5942
ience and Necessity.)	

The Commission, having taken evidence and being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On March 21, 1989, Thomas Edward Little dba Heritage Commercial Contractors, 1015 Sioux Road, Helena, Montana 59601, filed an application with the Montana Public Service Commission under Title 69, MCA, for a Certificate of Public Convenience and Necessity authorizing the transportation of highly damageable, sensitive computer hardware, and software, and its supporting documents, and electrical components, Class C, between all points and places in the State of Montana.

2. In accordance with Section 69-23-321, MCA, as amended, this matter was noticed to the public April 5, 1989. That notice said in pertinent part:

If no written protests are received by April 25, 1989, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. Protests were filed by Montana Carriers, Inc., Billings, Montana; Suhr Transport, Great Falls, Montana; and Montana Moving & Storage, Billings, Montana.

4. On April 10, 1989, Applicant restrictively amended his application limiting the proposed transportation service for the account of I.B.M. Corporation only.

5. On June 2, 1989, the Commission issued Notice of Public Hearing scheduling Docket T-9381 for a hearing to be held July 6, 1989, in Helena, Montana.

6. On June 28, 1989, Applicant further amended his application limiting transportation to the account of I.B.M. Corporation, in conjunction with sales, education, marketing seminars, and trade shows, requiring installation and/or removal services. All protests were subsequently withdrawn and the hearing was cancelled.

7. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly

exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 5th day of July, 1989, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9381, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of THOMAS E. LITTLE DBA HERITAGE COMMERCIAL CONTRACTORS, Helena, Montana for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent: Class C - Highly damageable, sensitive computer hardware, and software, and its supporting documents, and electrical components between all points and places in the State of Montana. Limitations: Transportation is restricted exclusively for the account of

I.B.M. Corporation, in conjunction with sales, education, marketing seminars, and trade shows, requiring installation and/or removal services.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 5th day of July, 1989, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Vice Chairman

JOHN B. DRISCOLL, Commissioner

DANNY OBERG, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

ATTEST:

Ann Purcell
Acting Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.